

CONDOMINIUM REVIEW COMMITTEE
Real Estate Commission
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes.

Date: August 9, 2000

Time: 11:00 a.m.

Place: Kapuaiwa Room
HRH Princess Victoria Kamamalu Building
1010 Richards Street, Second Floor
Honolulu, Hawaii

Present: Mitchell Imanaka, Chair
Peter Rice, Vice Chair
Charles Aki, Member
Michael Ching, Member
John Ohama, Member
Iris Okawa, Member
Patricia Choi, Member
Casey Choi, Member

Calvin Kimura, Supervising Executive Officer
Cynthia Yee, Senior Condominium Specialist
Gina Watumull, Condominium Specialist
Lorene Arata, Condominium Specialist
June Kamioka, Program Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Excused: Alfredo Evangelista, Member
Patricia Choi, Member

Call to Order: Chair Imanaka called the meeting to order at 11:00 a.m., at which time quorum was established.

Chair's Report: No report was presented.

Condominium
Specialist's
Report: **Additional Distribution**

The following materials were distributed prior to the start of the meeting:

- 4.f. Condominium Seminars
- 5.a.3) Developer's Public Report and General Information
- 6.k. Interactive Participation with Organizations

Minutes: Upon a motion by Commissioner Aki, seconded by Commissioner Rice, it was voted on and unanimously carried to accept the minutes of the July 12, 2000 Condominium Review Committee meeting as circulated.

Condominium
Governance and
Management:

AOAO / CMA / CHO Registrations

Specialist Watumull reported that as of July 31, 2000, 1389 AOAO have successfully registered. Specialist Watumull further reported that 110 CMAs and 119 CHOs are also currently registered.

Mediation and Arbitration – Specialist Watumull reported that the Commission currently has two mediation contracts and the Commission has recently received a request to provide mediation services. Per the procurement code, the Commission needs to solicit quotes from at least three vendors to provide mediation services. Specialist Watumull has verbally contacted six vendors, two of which were not interested. Staff is in the process of drafting the scope of services similar to that of the existing contracts. Prior to the next CRC meeting, staff will have mailed out a letter of solicitation with a scope of services and deadline to submit proposals to vendors. The proposals will then be brought before the Committee for review and selection process.

Education Calendar - Updated calendar of condominium events circulated for information. This information is also provided on the Commission's webpage.

Condominium Seminars – CEF Subsidy “2000 Legislative Update” (CAI Hawaii) – Evaluations – Specialist Yee reported that the seminar was very informative. The presenters were well versed in the topics. All were practicing attorneys.

Condominium Seminars – CEF Subsidy Request “Covenant Enforcement – Case Law Update” September 21, 2000

Upon a motion by Commissioner Ching, seconded by Commissioner Okawa, it was voted on and unanimously carried to recommend approval of CAI's seminar “Covenant Enforcement – Case Law Update” September 21, 2000, as a CEF subsidized seminar, subject to the terms and conditions of the current contract.

Case Law Review Program

Article entitled “Amicus Curiae Roundup” from the July/August 2000 issue of Common Ground was distributed for informational purposes.

Condominium Related Articles

The article entitled “Things to Come” from the July/August 2000 issue of Common Ground was distributed for informational purposes.

Condominium Project Registration - Public Reports Issued

Condominium Project Registration: Upon a motion by Commissioner Aki, seconded by Commissioner Ohama, it was voted on and unanimously carried to recommend approval to ratify issuance of effective dates for public reports for the month of July 2000 as follows:

Proj No	Project Name	Project Address	TMK #	Report	Date
4450	2532 PUU ROAD CONDOMINIUM	2532 PUU RD KALAHEO HI 96741	(4)2-03-011:013	Final	07/11/00
4402	616 MALUNIU	616C, D & E MALUNIU AVE KAILUA HI 96734	(1)4-03-036:005	Final	07/17/00
4456	AVALON PHASE 2	91-1026 & 91-1028 HULIAU EWA BEACH HI 96076	(1)9-01-102:047	Prelim	07/05/00
4445	BABY BEACH BUNGALOWS	5149/5149A HOONA RD KOLOA HI 96756	(4)2-06-006:023	Final	07/12/00
4436	COASTVIEW SUNSET LOT 39	73-1109 AHULANI ST KAILUA-KONA HI 96740	(3)7-03-023:094	Final	07/11/00
4444	DIAMOND HEAD SURF	3810/3824 LEAHI AVE HONOLULU HI 96815	(1)3-01-026:029	Final	07/05/00
4451	ELEMAKULE III	LOT 4 KAHAUOEA 1 ST S KONA HI	(3)8-02-011:026	Final	07/10/00
4453	HALE LAHAINA	84-1064 LAHAINA ST WAIAANAE HI 96792	(1)8-04-021:008	Final	07/17/00
4271	HU'ELANI, PHASE 1	91-219 LUKINI PL EWA BEACH HI 96706	(1)9-01-069:008	Final	07/07/00
3341	KALIHIWAI MOUNTAINS ESTATES	LOT 24 KALIHIWAI RDGE PH2 HANAIE HI	(4)5-02-022:023	Suppl 1	07/27/00
4428	KALOPA VIEW ESTATES	LOT 4 KALANIAI RD HAMAKUA HI	(3)4-04-008:098	Final	07/20/00
4440	KEAPANA HALE ESTATES	5709 HAUAAALA ROAD KAPAA HI 96746	(4)4-08-009:050	Final	07/17/00
4430	LOT 27 CONDOMINIUM	HANA HWY HANA HI 96713	(2)1-04-011:050	Final	07/18/00
4423	MALAMA KA AINA FARMS	LOT 8-E-1 KAAUHUHU N KOHALA HI	(3)5-05-001:121	Final	07/20/00
4421	MALUHIA AT WAILEA	3400 WAILEA ALANUI DR WAILEA HI 96753	(2)2-01-008:062	Prelim	07/18/00
4443	THE SUMMIT AT KANAPALI-PHASE I	KUALAPA LP KANAPALI HI	(2)4-04-006:054	Prelim	07/18/00
4458	WAIMEA LANDMARK ESTATES, LOT 2	LOT 2 WAIMEA LANDMARK EST S. KOHALA HI	(3)6-02-005:002	Final	07/18/00
4448	WAIPOULI ESTATES CONDO	6167-J WAIPOULI RD KAPAA HI 96746	(4)4-04-003:073	Final	07/05/00

Preliminary Reports: 3
Contingent Final Reports: 0
Final Reports: 14
Supplementary Reports: 1

Total: 18

Project Statistics

Chair Imanaka reported that the project statistics distributed include a recap of consultant reviews summarized by the number of days spent in review, which reflect a reduction in the review time. He further reported that the consultants seem to be serving the Real Estate Commission well and anticipates more filings.

Commissioner Ching stated that the review average time has significantly decreased and seems to be well under the 90-day review time.

SEO Kimura reported that the previous consultant workshop with Commission input has assisted in streamlining the process. He further reported that if the developer is not prepared and the filing has many deficiencies, staff suggests that the developer withdraw the filing and come back when prepared. This should save on staff and consultant review time.

Developer's Public Report Form

Specialist Yee presented some proposed modifications to the developer's final public report form for the purposes of implementing Acts 251 and 210. Amendments have been made to pages 11 and 21 which includes language almost verbatim from the Acts.

Upon a motion by Commissioner Ohama, seconded by Commissioner Rice, it was voted on and unanimously carried to recommend approval to amend page 11 and 21 of the developer's final public report form as follows:

Page 11

Apartments Designated for Owner-Occupants Only:

Fifty percent (50%) of residential apartments must be so designated; developer has a right to substitute similar apartments for those apartments already designated. Developer must provide this information either in a published announcement or advertisement as required by section 514A-102, HRS; or include the information here in this public report and in the announcement (see attachment 11a). Developer has ____ elected to provide the information in a published announcement or advertisement.

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D. The developer declares subject to the penalties set forth in section 514A-49(b) that this project is in compliance with all county zoning and building ordinances and codes, and all other county permitting requirements applicable to the project, pursuant to Act 251 (SLH 2000) [Section 514A-] (The developer is required to make this declaration for issuance of an effective date for a final public report.)

Specialist Yee reported that the General Information packet has been accordingly amended.

Program of Work:

Recodification of Chapter 514A – SEO Kimura reported that the Director has given her approval to establish the recodification position and compensation for the position.

The next step is to finalize the position description with the department's personnel office. Recruitment will start within DCCA, if no applicants received, recruitment will go outside. At this time we are unsure of a targeted start date.

Interactive Participation with Organizations – CAI National Conference, October 26-29, 2000

Upon a motion by Commissioner Ohama, seconded by Commissioner Ching, it was voted on and unanimously carried to recommend approval to send one commissioner and one staff member to CAI's 49th National Conference to be held in Nashville, Tennessee, October 26 – 28, 2000, subject to budget and department approval. Commission Chair and Supervising Executive Officer to decide on participants.

Report on CAI's 48th National Conference – per the prior request of Commissioner Patricia Choi, it was recommended to defer the report on CAI's 48th National Conference to the September 13, 2000 CRC meeting.

CMEF Budget &
Finance Report:

No report presented.

Condominium
Organizations Forum:

There were no comments, recommendations or concerns received from the following: Community Associations Institute Hawaii Chapter, Alakahi Foundation, Hawaii Council of Association of Apartment Owners, Hawaii Independent Condominium and Cooperative Owners, Hawaii State Bar Association/Real Property & Financial Services Section, Land Use Research Foundation, Condominium Council of Maui, Hawaii Association of Realtors/Institute of Real Estate Management Hawaii Chapter/ Oahu Arm Committee, others.

Open Forum:

No discussion presented.

Next Meeting:

September 13, 2000; 11:00 a.m.
Kapuaiwa Room
HRH Princess Victoria Kamamalu Bldg.
1010 Richards Street, Second Floor
Honolulu, Hawaii 96813

Adjournment:

With no further business to discuss, Chair Imanaka adjourned the meeting at 11:20 a.m.

Respectfully submitted:

Cynthia M. L. Yee
Senior Condominium Specialist

Date

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____